

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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OSWALDO CRUZ,
MARY MARTHA LITTLEJOHN , and
ROBERT GREG WINN, on behalf of
themselves and a class of those similarly situated,

Plaintiffs,

- against -

LAWSON SOFTWARE, INC.,
LAWSON SOFTWARE AMERICAS, INC.,

Defendants.

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**NOTICE OF DEFENDANTS'
MOTION FOR PARTIAL
DISMISSAL OF
THE COMPLAINT**

08 Civ. 4704 (SHS)(THK)

PLEASE TAKE NOTICE that upon the Affidavit of Anita Magnuson dated June 9, 2008 and the exhibits attached thereto, and Defendants Lawson Software, Inc., and Lawson Software Americas, Inc.'s Memorandum of Law in Support of Defendants' Motion for Partial Dismissal of the Complaint dated June 10, 2008, and upon all the prior pleadings and proceedings herein, Defendants will move this Court at the United States Courthouse for the Southern District of New York, 500 Pearl Street, New York, New York, 10007, before the Hon. Sidney H. Stein, U.S. District Judge, at a time and date to be designated by the Court, for an Order pursuant to 12(b)(6) of the Federal Rules of Civil Procedure dismissing Counts III, IV and V of the Complaint on the grounds that these Counts fail to state a claim upon which relief can be granted, and granting such other and further relief as this Court deems just and proper.

PLEASE TAKE FURTHER NOTICE that pursuant to the Local Rule 6.1 of this Court, answering papers, if any, shall be served on the undersigned by June 24, 2008. Reply papers, if any, shall be served by July 1, 2008.

Date: New York, New York
June 10, 2008

LITTLER MENDELSON, P.C.

By: /s/ Craig R. Benson
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